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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/053,935	01/24/2002	Gregory N. Weismantel	5892-19	5964

22442 7590 10/06/2010
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EXAMINER

BEKERMANN, MICHAEL

ART UNIT	PAPER NUMBER
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3622

MAIL DATE	DELIVERY MODE
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10/06/2010

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

RESPONSE REQUESTED

1. This action is responsive to the Board of Patent Appeals and Interferences decision mailed 6/14/2010 which sustained the Examiner's rejection of claims 40 and 43-48, and reversed the Examiner's rejection of claims 1, 2, 6, 7, 21-39, and 41.

2. Claim 41 is incomplete because the claims on which it depends from has been cancelled by the Examiner in accordance with MPEP 1214.06. Applicant is given a **ONE MONTH TIME LIMIT** from the date of this letter in which to present this claim in independent form. **NO EXTENSIONS OF TIME UNDER 37 CFR 1.136(a) WILL BE GRANTED.** Failure to comply with this deadline will result in the cancellation of claim 41 and this application will be allowed with claims 1, 2, 6, 7, and 21-39.

3. However, should claim 41 be made into independent form by including the language of claim 40, claim 41 would be an exact duplicate of claim 26. Therefore, at that point, either claim 26 or claim 41 would need to be cancelled.

Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to MICHAEL BEKERMAN whose telephone number is (571)272-3256. The examiner can normally be reached on Monday - Thursday, 9:00 - 3:00.

Art Unit: 3622

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eric W. Stamber can be reached on (571) 272-6724. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Michael Bekerman/
Primary Examiner, Art Unit 3622